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7 *Attorneys for Defendant Linda Livolsi*

8  
9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 \* \* \*

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 vs.

15 LINDA LIVOLSI, aka Linda Grogg,

16 Defendant.

2: 10-cr-0578-PMP-RJJ

**STIPULATION TO CONTINUE  
TRIAL DATE**

**(First Request)**

17  
18 **IT IS HEREBY STIPULATED AND AGREED**, by and between Matthew T. Dushoff,  
19 Esq., of the law firm of Kolesar & Leatham, Chtd., counsel for Defendant LINDA LIVOLSI, and  
20 Michael Chu, Assistant United States Attorney, counsel for the United States of America, that  
21 trial and calendar call be vacated and continued to a date and time convenient to this Court, but  
22 not sooner than 90 days: (1) the calendar call presently scheduled for March 23, 2011 at 9:00 am;  
23 and (2) the trial currently scheduled for March 29, 2011 at 9:00 am. This stipulation is entered  
24 into for the following reasons:

25  
26 1. The Parties need additional time to prepare for trial in the case, including  
27 conducting legal research. The Parties also need additional time to continue exploring full  
28

1 resolution of the matter without going to trial.

2 2. The Defendant and the Government agree to the continuance.

3 3. This is the first request for a continuance of the trial date.

4 4. Defendant is not in custody and does not object to a continuance of the trial date.

5 5. Denial of this request for a continuance could result in a miscarriage of justice.

6 6. The additional time requested by this stipulation is excludable in computing the  
7 time within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C.  
8 §§ 3161(h)(7)(A), when considering the factors under 18 U.S.C. §§ 3161(h)(7)(B)(i) and  
9 3161(h)(7)(B)(iv).  
10

11 DATED this 25th day of February, 2011.

12  
13 **KOLESAR & LEATHAM, CHTD.**

14  
15 By: 

16 MATTHEW T. DUSHOFF, ESQ.  
17 Nevada Bar No. 004975  
18 MICHAEL D. DAVIDSON, ESQ.  
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22 *Attorneys for Defendant*  
23 *Linda Livolsi*

**DANIEL BOGDEN**  
**United States Attorney**

24  
25 By: 

26 MICHAEL CHU, ESQ.  
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*Attorneys for Plaintiff*  
*United States of America*

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1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 \* \* \*

4 UNITED STATES OF AMERICA,

2: 10-cr-0578-PMP-RJJ

5 Plaintiff,

**ORDER TO CONTINUE TRIAL  
AND FINDINGS OF FACT AND  
CONCLUSIONS OF LAW**

6 vs.

7 LINDA LIVOLSI, aka Linda Grogg,

8 Defendant.

9  
10 **FINDINGS OF FACT**

11 Based on the pending stipulation of counsel, and good cause appearing therefore, the  
12 Court hereby finds that:

13 1. The Parties need additional time to prepare for trial in the case, including  
14 conducting legal research. The Parties also need additional time to continue exploring full  
15 resolution of the matter without going to trial.

16 2. The Defendant and the Government agree to the continuance.

17 3. This is the first request for a continuance of the trial date.

18 4. Defendant is not in custody and does not object to a continuance of the trial date.

19 5. Denial of this request for a continuance could result in a miscarriage of justice.

20 6. The additional time requested by this stipulation is excludable in computing the  
21 time within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C.  
22 §§ 3161(h)(7)(A), when considering the factors under 18 U.S.C. §§ 3161(h)(7)(B)(i) and  
23 3161(h)(7)(B)(iv).

24 **CONCLUSIONS OF LAW**

25 1. For all of the above-stated reasons, the ends of justice would best be served by a  
26 continuance of the trial date.

27 2. The additional time requested by this stipulation is excludable in computing the  
28 time within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C.

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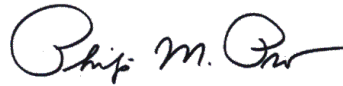
§§3161(h)(7)(A), when considering the factors under 18 U.S.C. §§3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv).

**ORDER**

**IT IS THEREFORE ORDERED** that the calendar call presently scheduled for March 23, 2011 at 9:00 a.m. setting be vacated, continued and reset for Wednesday, June 22, 2011, at 9:00 a.m. in Courtroom 7C.

**IT IS FURTHER ORDERED** that the trial currently scheduled for March 29, 2011 at 9:00 a.m. is vacated, and that Defendant and counsel are advised that they must be present for trial on Tuesday, June 28, 2011, at 9:00 a.m. in Courtroom 7C.

DATED this \_ 28th day of February, 2011.



UNITED STATES DISTRICT JUDGE

Submitted by:



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